

REMARKS

Claims 1 and 4-11 are pending. Claims 1, 4 and 11 have been amended. The amendment should be entered as it does not raise new issues that require further search and/or consideration. No new matter has been presented.

Claims 1 and 4-11 are rejected as being unpatentable under 35 USC 103(a) over Takuya, JP Patent Publication No. 2001-223832 A, in view of Kitani, U.S. Patent No. 5,352,883. This rejection is respectfully traversed.

Each of the independent claims 1, 4 and 11 have been amended to recite "wherein the original document is out of contact with the reading transparent member as at least a portion of the original document is conveyed over the original document reading position and a trailing edge portion of the original document passes a position very close to or in contact with a sloping surface of the spacer." This amendment is supported by figures 2 and 6 and paragraph [0034] of the specification. This feature is not taught by the combination of Takuya and Kitani.

As the Office Action concedes, Takuya does not include a spacer that has a sloping surface and thus fails to teach this feature. In addition, in Takuya the trailing edge of the document does not pass near or in contact with the downward edge of elements 4 and 5. Kitani fails to overcome the deficiencies of Takuya in teaching this feature because, as shown in figures 10-12, the guide means 7 arranges the sheet P over the protection layer 2 such that the sheet P is in full contact with the protection layer 2 as it is conveyed over the light source 4.

Accordingly, claims 1, 4 and 11 are allowable. Claims 5-10 depend from claim 4 and are similarly allowable.


In view of the above, each of the claims in this application is in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone

conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **325772034600**.

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Respectfully submitted,

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